

**REPORT OF THE  
TASK FORCE STUDYING**

**School Law As A  
Requirement For Teachers And  
State Approved Substance  
Abuse Education Program**

**TO THE GOVERNOR AND  
THE GENERAL ASSEMBLY OF VIRGINIA**



**SENATE DOCUMENT NO. 33**

**COMMONWEALTH OF VIRGINIA  
RICHMOND  
1991**



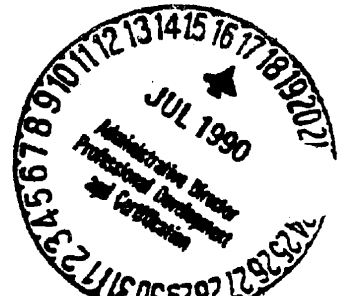
# COMMONWEALTH of VIRGINIA

## VIRGINIA STATE CRIME COMMISSION

General Assembly Building

IN RESPONSE TO  
THIS LETTER TELEPHONE  
(804) 225-4534

ROBERT E. COLVIN  
EXECUTIVE DIRECTOR



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FROM THE SENATE OF VIRGINIA:  
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FROM THE HOUSE OF DELEGATES:  
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ATTORNEY GENERAL'S OFFICE  
H. LANE KNEEDLER

July 13, 1990

The Honorable Jane H. Woods  
House of Delegates  
P.O. Box 1387  
Fairfax, Virginia 22030

Dear Delegate Woods:

Thank you for taking the time to discuss SJR 80 and HJR 200 with me. I am pleased that we may be able to take a similar and joint approach to carrying out these resolutions.

I have enclosed the plan proposed by the Department of Education for addressing the two teacher education proposals. I will attend the July 17, 1990 study group meeting to explain the intent of Senator Gray's SJR 80, and will inform the study group that we have discussed possible ways to implement both legislative pieces. I will request that Dr. Elliott put your name on the study group's mailing list, and that he forward to you the minutes taken at the July 17 meeting to inform you of any progress made.

I am optimistic that the Commonwealth of Virginia can ensure that teachers receive enhanced education both in substance abuse identification, as recommended in SJR 80, and in school law, as you proposed in HJR 200. Please contact me if the staff of the Crime Commission can assist you in any way.

Sincerely,

Dana G. Schrad  
Staff Attorney

Enclosure

cc: Senator Elmon T. Gray  
Dr. Vincent C. Cibbarelli  
Dr. Thomas A. Elliott

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## Preface

Senate Joint Resolution No. 80 resolved that the Board of Education, in consultation with the State Council of Higher Education, amend its regulations to require completion of a state-approved substance abuse education program for applicants seeking an initial teaching certificate. Similarly, House Joint Resolution No. 200 requested that the Board of Education study the efficiency and appropriateness of including the study of school law in the requirements for certification of teachers. The intent of both resolutions was to increase the knowledge of prospective teachers on such complex social issues as student discipline, school crime, the rights of handicapped students, substance abuse education, and programs leading toward drug awareness and reduction. After communication with staff from the Virginia State Crime Commission, the patrons of the two resolutions granted approval to the Department of Education task force to investigate both resolutions as a single study. As such, the task force report provides an executive summary, an overview of the issues a summary of findings, and a set of task force recommendations.

The task force investigating the resolutions was composed of 21 representatives from the Department of Education State Council of Higher Education, Virginia Crime Commission, institutions of higher education, and local education agencies. A complete list of the task force members is located in Appendix A. Special thanks to Ms. Dana Schrad, Virginia State Crime Commission for her assistance in guiding the development of the task force report. Dr. Thomas A. Elliott and Mrs. Diane L. Jay, Department of Education, served as staff coordinators for the work of the task force.

STATE-APPROVED SUBSTANCE ABUSE

AND

SCHOOL LAW AS A REQUIREMENT FOR TEACHERS

EXECUTIVE SUMMARY

During the 1990 session of the Virginia General Assembly, resolutions were approved relating to the inclusion of instruction in teacher preparation programs for teachers in the areas of substance abuse and school law education. Senate Joint Resolution No. 80 resolved that the Board of Education, in consultation with the State Council of Higher Education, amend its regulations to require completion of a state-approved substance abuse education program for applicants seeking an initial teaching certificate. House Joint Resolution No. 200 requested that the Board of Education study the efficiency and appropriateness of including the study of school law in the requirements for certification of teachers in the Commonwealth. After communication with staff from the Virginia State Crime Commission, the patrons of the two resolutions granted approval to the Department of Education task force to investigate both resolutions as a single study.

A task force, composed of 21 representatives from the Department of Education, State Council of Higher Education, Virginia Crime Commission, institutions of higher education, and local education agencies, was formed to study the issues and to develop recommendations for accomplishing the intent of resolutions 80 and 200. From the beginning of the task force's work, it was agreed that additional professional course requirements for teachers would violate the regulation required for restructuring teacher education programs. These programs were restructured with the stipulation that graduates meet institutional requirements for degrees in the arts and sciences; that programs be limited to 18 hours of professional studies coursework; and that a continuum of field experiences begin early in a student's study and complement the professional studies coursework. As such, it was agreed that the intent of the resolutions would be accomplished through other means.

The task force examined the current status and implications of the resolutions at both the higher education and local school division levels. Four major factors caused the task force to reject specific course requirements as requested in the resolutions. They were:

1. In 1989 the Board of Education in conjunction with the State Council of Higher Education approved restructured teacher education programs at 37 institutions of higher education in Virginia. Guidelines for the restructuring

limited to 18 hours the number of professional studies courses that may be included in the four-year teacher preparation programs. This was done to allow prospective teachers the opportunity to take the greatest number of courses feasible in the arts and sciences. The addition of coursework in school law and substance abuse awareness would reverse the Board's direction in this regard.

2. About fifty-six percent of Virginia's teachers come from out-of-state or do not graduate from approved programs within the state. This fact raises concern about the knowledge these teachers have in the areas of school law and substance abuse as they enter Virginia classrooms.
3. Substance abuse education is an integral part of the K-12 comprehensive health education curriculum. Several mandates and programs involve teachers and students in becoming knowledgeable in drug education and school law issues.
4. It is through the in-service program of teachers at the local level that the greatest impact would be felt in training teachers in substance abuse, school law education, or other contemporary social issues and their legal ramifications. This is especially true when the program is well-planned, specific in content objectives, filled with demonstrated strategies for use back in the classroom, offered on a volunteer bases, and provided at a time when teachers are not confronted with the daily challenges of their classroom responsibilities.

The individualized recertification point system which became effective July 1, 1990 provides an excellent avenue for accomplishing the teacher training objectives of the resolutions. The newly implemented process permits topics such as those outlined in the resolutions to be addressed within a flexible format and through various avenues such as conferences, institutes, academies, workshops, and delivered on-site or via television, interactive video, and the electronic classroom.

The task force studying resolutions 80 and 200 recommends the following strategies for accomplishing the objectives of the resolutions:

1. That competencies appropriate for beginning teachers be developed in the areas of substance abuse and school law education for use by teacher training institutions. Further, that during the visitation cycle to study approved programs, special attention be given to the degree to which the competencies are being incorporated into the pre-training curriculum and the assessment of student knowledge relative to the competencies.

2. That the full potential of the elementary health curriculum be realized in the public schools by providing scheduled time during the school day for instruction in health education as mandated in the Code and supported in the comprehensive K-12 health curriculum.
3. That the Department of Education, Council of Higher Education, Virginia Crime Commission, and others develop a plan to introduce a series of academies for elementary teachers during the summer at selected community colleges to address the issues raised in the resolutions. These academies would address content as well as appropriate instructional strategies for achieving selected student outcomes. Teachers would be allowed to receive recertification points toward the renewal of their teaching certificate as a result of participation in the academies.
4. That the period between December, 1990 and December 1991 be used by the Department of Education, Council of Higher Education, Virginia Crime Commission and others, to design an implementation plan to develop the academies for start up the summer of 1991. The plan would contain specific measurable objectives, strategies for local school implementation, topics to be addressed (including those raised in the resolutions), individuals to be involved, timelines, participant selection procedures, and a budget.

STATE-APPROVED SUBSTANCE ABUSE  
AND  
SCHOOL LAW AS A REQUIREMENT FOR TEACHERS

OVERVIEW

The report of the Governor's Commission on Excellence in Education, October, 1986, made recommendations for specific actions to place Virginia among the nation's top states in the quality of education it offers its pre-service teachers. One of the results of the report has been a major restructuring of teacher education programs at Virginia's 37 institutions of higher education that prepare teachers.

The process to restructure programs has taken place during a three-year period with Board of Education approval to begin the initiation of new programs July 1, 1990. Effective July 1, 1994, graduates of restructured teacher education programs in Virginia will be licensed only if they have completed an undergraduate degree in an arts or sciences discipline or discipline appropriate to the endorsement being sought.

The guidelines for restructuring teacher education programs included the following:

- o Requiring prospective teachers to meet institutional requirements for degrees in the arts and sciences (discontinuation of a degree in education)
- o Limiting programs to 18 hours of professional studies coursework (courses in methodology)
- o Providing a continuum of field experiences beginning early in a student's study which complements the professional studies coursework

Within the 18-hour limit on professional education, institutions of higher education had the latitude to design and implement curricula that contained those competencies deemed necessary for adequate teacher preparation. As in the past, institutions were not mandated to teach specific courses.



## SUMMARY

In response to HJR 260 of the 1987 General Assembly, the Council of Higher Education surveyed institutions of higher education to determine the substance abuse content in health-care and human-services curricula. Programs also leading to certification in teacher education were included. The survey results indicated that some substance-abuse content was included in each institution's program. The content varied widely between institutions and among programs in a given institution, with most of the content found in the health and physical education programs. These programs contained about 45 clock hours of such content.

The Department of Education recently completed a survey in August 1990 on substance-abuse and school-law content in restructured teacher education programs. Sixty-five percent of the institutions that prepare teachers responded to the survey. They reported from two to 45 clock hours of substance-abuse content in their teacher preparation curricula. These results confirm the findings of the Council's earlier survey. School-law content in the teacher education programs ranged from two to 45 clock hours.

In addition to a survey, the department compiled five case studies which describe substance-abuse and school-law content in restructured teacher education programs. These studies also reveal the variety between course offerings and content offered by various institutions.

About fifty-six percent of Virginia's teachers come from out-of-state or do not graduate from approved programs within the state. This represents a significant number of teachers entering Virginia's work force. The background and knowledge they bring to our classrooms in school law and substance abuse awareness cannot be appraised.

Health education in Virginia is a continuing process which begins in kindergarten and extends through grade 12 and involves the entire staff of each school and citizens of the community in planning and providing for the total development of each student. The purpose of health education is to improve the quality of living for the individual, the family, and the community. To this end, health education in Virginia enables the student to cope with life and its challenges. A very important part of this education includes knowing the effects of alcohol and other drugs and developing a positive, drug-free lifestyle.

All schools have a responsibility for the health and physical well-being of children. This responsibility is established by law and by regulations of the state Board of Education:

22.1-206 Instruction concerning drugs and drug abuse--  
Instruction concerning drugs and drug abuse shall be provided by the public schools as prescribed by the State Board of Education.

22.1-207 Elementary and secondary schools shall present a comprehensive health education program which focuses on instruction related to alcohol and drug abuse, smoking and health, personal growth and personal health, nutrition, prevention and control of disease, physical fitness, accident prevention, personal and family survival, environmental health, mental health, and consumer education. These shall be developed in accordance and procedures outlined in the Curriculum Guide for Health Education.

22.1-207.1 Family life education-The Board of Education shall develop by December 1, 1987, standards of learning and curriculum guidelines for a comprehensive, sequential family life education curriculum in grades K-12....

Drug education has been a part of Virginia's education since the first law was passed in 1928 calling for the "study of evils of alcohol and narcotics.... In physiology and hygiene the textbook and course of study shall treat the evil effects of alcohol and other narcotics on the human system."

In March 1970, the General Assembly, recognizing the growing seriousness of the drug abuse problem, agreed to HJR 122 requesting local school boards to intensify their instructional programs dealing with drugs and drug abuse and to take other appropriate action to prevent drug experimentation and drug abuse by pupils on school property. The state Board of Education in April, 1970 passed a resolution calling upon local school officials to implement HJR 122. It also recommended that local school boards provide in-service training opportunities to inform all teachers about the harmful effect of drug abuse. A regulation on Instruction in Drugs and Drug Abuse Education was passed by the state board in July 1971.

On March 31, 1972, the General Assembly passed House Bill 739 requiring public schools in Virginia to provide education on drugs and drug abuse, with the curriculum to be directed by the State Board of Education.

The educator's role in identifying and reporting drug abuse in a school was facilitated by Senate Bill 164 which was passed on April 10, 1972. On January 29, 1982, House Bill 727 was passed which gave immunity of school personnel investigating or reporting alcohol or drug use.

In 1989 the General Assembly passed legislation to amend and reenact 18.2-225.2 of the Code of Virginia. The legislation dealt with the unlawfulness for any person to manufacture, sell or distribute or possess with intent to sell, give or distribute any controlled substance....in any public or private school, and within 1,000 feet of such property or while on any school bus. Additionally, the legislation called for an effective preventive drug abuse program beginning in kindergarten and integrated into the total comprehensive health education curriculum. The Standards of Learning Objectives for Health Education are required to be used as references for designing local curriculum and instruction program.

In addition to these mandates, there are a number of programs which have been established to enhance health education in Virginia. They are Drug-Free School and Communities Act of 1986, Family Life Education, AIDS Education, the Blue Ridge School Health Education Conference, DARE (Drug Abuse Resistance Education), I Am Always Special (IAAS) project, PULSAR (Public Leadership for Students at Risk), SODA (Student Organization for Developing Attitudes), YADAPP (Youth Alcohol and Drug Abuse Prevention Project), School/Community Team Training Institutes, and Crises Affecting Youth: A Challenge for Schools.

## RECOMMENDATIONS

The task force suggested that the most effective means of accomplishing the intent of resolutions 200 and 80 is to prepare teachers to understand and deal effectively with complex social issues and their legal ramifications. The most effective means of accomplishing this intent is a teacher knowledgeable of the law and prepared to deliver a comprehensive health program, K-12. With a well-defined and concerted effort to train teachers and with time allotted to teach the curriculum, the intent of both resolutions can be realized.

The following recommendations for accomplishing the objectives of resolutions 200 and 80 were delineated:

1. That competencies appropriate for beginning teachers be developed in the areas of substance abuse and school law education for use by teacher training institutions. Further, that during the visitation cycle to study approved programs, special attention be given to the degree to which the competencies are being incorporated into the pre-training curriculum and the assessment of student knowledge relative to the competencies.
2. That the full potential of the elementary health curriculum be realized in the public schools by providing scheduled time during the school day for instruction in health education as mandated in the Code and supported in the comprehensive K-12 health curriculum.

3. That the Department of Education, Council of Higher Education, Virginia Crime Commission, and others develop a plan to introduce a series of academies for elementary teachers during the summer at selected community colleges to address the issues raised in the resolutions. These academies would address content as well as appropriate instructional strategies for achieving selected student outcomes. Teachers would be allowed to receive recertification points toward the renewal of their teaching certificate as a result of participation in the academies.
  
4. That the period between December, 1990 and December 1991 be used by the Department of Education, Council of Higher Education, Virginia Crime Commission and others, to design an implementation plan to develop the academies for start up the summer of 1991. The plan would contain specific measurable objectives, strategies for local school implementation, topics to be addressed (including those raised in the resolutions), individuals to be involved, timelines, participant selection procedures, and a budget.

# APPENDIX A

Members of the Task Force  
Studying SJR 80 and HJR 200

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# **APPENDIX B**

**Resolutions 80 and 200**



1990 SESSION

LD2464325

SENATE JOINT RESOLUTION NO. 80

Offered January 23, 1990

Requesting the Board of Education to require prospective teachers to complete a state-approved substance abuse education program.

Patrons—Gray, Cross, Anderson, Joannou, Saslaw and Holland, E.M.; Delegates: Ball, Jackson, Miller, Woodrum, Forehand, Guest, Philpott and Stambaugh

Referred to the Committee on Rules

WHEREAS, Senate Joint Resolution 144 (1989) directed the Virginia State Crime Commission to designate a select Drug Study Task Force to conduct a comprehensive study of drug trafficking, abuse and related crime in Virginia, focusing on law enforcement efforts, correctional and rehabilitative issues and drug consumption reduction; and

WHEREAS, the Education Subcommittee of the Drug Study Task Force has identified substance abuse education programs as a key component of successful drug consumption reduction; and

WHEREAS, the study conducted in 1987 by the State Council of Higher Education for Virginia, in response to House Joint Resolution 260 of the 1987 General Assembly concluded that teacher preparation courses outside of health education contain only minimal substance abuse education content; and

WHEREAS, the vast majority of more than 180 approved teacher-education programs which lead to a degree in education or prepare teachers for secondary education fields contain little or no substance abuse awareness education; and

WHEREAS, research indicates that drug abuse has been identified as the number one discipline problem in our nation's schools, and that more than one-half of the nation's teenagers will use drugs at least once before they finish high school, since the average age for young people to begin experimenting with drugs is twelve years old; and

WHEREAS, the Education Subcommittee of the Drug Study Task Force has concluded that elementary and secondary school teachers in Virginia would benefit from more substance abuse awareness education in order to be well informed concerning the problem of substance abuse and to identify substance-abusing behaviors and characteristics in students; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Board of Education, in consultation with the State Council of Higher Education, amend its regulations to require completion of a state-approved substance abuse education program for applicants for the initial teacher certification.

The Board and the Council shall report jointly the status of the revision of such regulations to the Senate Committee on Education and Health and the House Committee on Education by December 1, 1990.

Official Use By Clerks

Agreed to By The Senate
without amendment
with amendment
substitute
substitute w/amdt

Agreed to By The House of Delegates
without amendment
with amendment
substitute
substitute w/amdt

Date:

Date:

Clerk of the Senate

Clerk of the House of Delegates

1990 SESSION

LD4244600

HOUSE JOINT RESOLUTION NO. 200  
AMENDMENT IN THE NATURE OF A SUBSTITUTE  
(Proposed by the House Committee on Education  
on February 5, 1990)

(Patron Prior to Substitute—Delegate Woods)

Requesting the Board of Education to study the efficacy and appropriateness of including the study of school law in the requirements for the certification of teachers in the Commonwealth.

WHEREAS, instructional personnel in the Commonwealth's public schools are challenged daily by a number of increasingly complex social issues which have legal ramifications, such as student discipline, school crime, teenage pregnancy, student suicide, and the rights of handicapped students; and

WHEREAS, the educational environment has been greatly affected by legal concerns regarding the serious alcohol and substance abuse problem in schools nationwide; and

WHEREAS, statutory and case law governing corporal punishment, student privacy, alcohol and substance abuse, and other issues have a substantial impact on the interactions of instructional personnel and students; and

WHEREAS, knowledge of legislative requirements and the changing judicial interpretations of the laws affecting the educational environment, students, and teachers is necessary to serve effectively within our public school system; and

WHEREAS, pursuant to §§ 22.1-253.13:3 and 22.1-298 of the Code of Virginia, the Board of Education has the authority to promulgate regulations regarding the requirements for certification of teachers to teach in the public schools; and

WHEREAS, including the study of school law in the requirements for certification to teach in the public schools may necessitate changes in course offerings within the education programs in the Commonwealth's colleges and universities; and

WHEREAS, because of this possible impact, it is essential that a careful review of including this requirement be conducted; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Board of Education is requested to study the efficacy and appropriateness of including the study of school law in the requirements for the certification of teachers in the Commonwealth.

The Board shall complete its work in time to submit its findings and recommendations to the Governor and the 1991 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for processing legislative documents.

Official Use By Clerks

Agreed to By  
The House of Delegates  
without amendment   
with amendment   
substitute   
substitute w/amdt

Agreed to By The Senate  
without amendment   
with amendment   
substitute   
substitute w/amdt

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Clerk of the House of Delegates

Clerk of the Senate

# **APPENDIX C**

**Case Studies From Four Institutions  
Outlining Instruction in the Areas of  
Substance Abuse and School Law Education**

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# George Mason University

Fairfax, Virginia 22030-4444

(703) 323-2000

**To:** Diane Jay  
Virginia Department of Education

**From:** Mary Anne Lecos

**Subject:** Response to SJR 80 and HJR 200

**Date:** July 30, 1990

As at most other teacher education institutions, George Mason University students are provided with instruction about school law and substance abuse in a variety of required and elective courses. All of the current and restructured teacher education programs at GMU include the following three-credit course requirements, which give prospective teachers the knowledge and skills identified in SJR 80 and HJR 200.

- o **HEAL 110 Personal Health**  
Individual and family well-being through the integration of such topics as fitness, nutrition, human sexuality, consumer health, drug education, and mental health.
- o **EDUC 300 Introduction to Teaching or  
EDUC 522 Introduction to Secondary Education**  
Current education trends examined in a historical and sociological context. Includes study of school law related to students' and teachers' rights and responsibilities, equality of opportunity, church/state relations, and state certification requirements.
- o **EDUC 302 Human Growth and Development or  
EDUC 539 Psychological Foundations of Adolescent  
Learning and Development**  
Includes study of substance abuse through attention to the effects of student/parent/peer use, and prenatal exposure, on cognitive emotional, social, and physical development.
- o **EDUC 301 Educationally Diverse Populations:  
Handicapped, Gifted, and Multicultural**  
Introduction to the psychological, sociological, educational, and physical aspects of diverse populations. Pertinent litigation and legislation are emphasized.

- o EDCI 723 or 737 Observing, Assessing, and Guiding Behavior  
Seminar sessions addressing problems and issues encountered during internships/student teaching.

Issues related to academic freedom, censorship, and controversial topics are addressed in methods courses for each discipline, but especially in English language arts, social studies, biology, and health.

Persons seeking certification as health/physical education teachers, school counselors, school social workers, or school administrators take other coursework related to school law, substance abuse, and the social problems addressed in SJR 80 and HJR 200. For example:

HEAL 120 Community and Environmental Health  
HEAL 312 Drugs and Health  
HEAL 315 Foundations of Health Education  
HEAL 513 Current Issues in Health Education

or

EDGC 509/510 Human Development  
EDGC 605/607 Introductory or Advanced Counseling Theory and Practice  
EDGC 666 Counseling and Development for Special Populations  
EDGC 624/626/628 Theories and Practice of Elementary, Middle, or Secondary School Counseling  
EDGC 754/790 Practicum/Internship in Counseling and Development

or

SOCW 300 Alcohol and Substance Abuse: Policies and Programs  
SOCW 323/324 Human Behavior in the Social Environment  
SOCW 357/358 Methods of Social Work Intervention  
SOCW 423 Social Work with Adolescents  
SOCI 503 Family Law  
SOCI 508/608 Juvenile Delinquency

or

EDAS 612 Education Law  
EDAS 791/792 Practicum/Internship in Education Leadership

The education of health/physical education teachers, counselors, social workers, and administrators about school law and substance abuse is particularly important because these professionals have major responsibilities for informing and interacting with students, other teachers, and parents about the

problems mentioned in SJR 80 and HJR 200. These specialists serve as resources and provide support to classroom teachers in every subject area and at every grade level.

The preservice education of teachers is important but, for the following reasons, is insufficient to deal effectively with the myriad of problems related to school law and substance abuse.

- o More than 50 percent of teachers in Virginia come from out of state, and new hires are a small fraction of the teacher workforce; therefore, the inservice education of currently employed teachers is equally important.
- o As noted in HJR 200, legislative requirements and judicial interpretations change frequently, so inservice education must be continuous.
- o Teachers apply the law within the context of state regulation and local school board policy.
- o Much case law is situation-specific or regional in jurisdiction, and requires interpretation by the attorney general or local municipal/school board counsel before application by teachers.

The intent of SJR 20 and HJR 200 can be achieved without adding to the requirements for teacher certification if the Virginia Department of Education will accomplish the following:

- o Incorporate the appropriate study of school law and substance abuse in standards for approved certification programs for health/physical education teachers, other teachers, school counselors, school social workers, and administrators. This would ensure coverage in the foundations, human development, and methods courses which are basic to all teacher education and more specific treatment in the preparation of specialists and administrators.
- o Promote physical and mental wellness for all students and educators, which will lead to integration of wellness instruction across the curriculum and the prevention of social problems. The Blue Ridge Health Conferences have been a catalyst for development and implementation of both school-based and comprehensive action plans at the local level.

- o Support dynamic, accessible staff development programs to prepare key professionals in each school division for providing local leadership in developing training programs which are responsive to local concerns and teachers' needs. The state support for development of Family Life Education provides a model for effecting such change.
  
- o Use the state telecommunications network to keep teachers, administrators, and teacher educators informed and motivated.



# MARY WASHINGTON COLLEGE

DEPARTMENT OF EDUCATION

**TO:** Dr. Thomas A. Elliott  
Department of Education

**FROM:** Venitta C. McCall, Senior Lecturer  
Education Department, Mary Washington College

**RE:** The Teacher Education Program at Mary  
Washington College and Senate Joint Resolution No.  
80 (Substance Abuse Education program and House  
Joint Resolution No. 200 (School Law requirement)

**DATE:** July 17, 1990

The teacher education program at Mary Washington College includes two required courses which specifically address the purposes of Resolutions 80 and 200--Contemporary Health Problems (HEED 100) and The Professional Teacher and the American School (EDUC 420).

Mary Washington College students enrolled in the teacher education program are required to take HEED 100 as one of the General Education courses necessary to satisfy graduation requirements. HEED 100 is taught by faculty in the Health and Physical Education department at the College. Approximately fifteen to twenty percent of the course covers topics relating to substance abuse--alcohol, legal and illicit drugs. The substance abuse curriculum includes an examination of the contemporary treatment, prevention, diagnosis, and cause and effect relationships related to the mental health of the abuser.



The HEED 100 instructors discuss the topic of substance abuse from a mental health perspective, a perspective which dovetails with the curricula in the required courses, Social Processes in the Elementary Classroom (EDUC 380) and Social Processes in the Secondary Classroom (EDUC 381).

Additionally, the topic of substance abuse is discussed in the required course Classroom Teaching and Research (EDUC 439). EDUC 439 covers the classroom teacher's responsibility regarding not only substance abuse by students, but also, the effects on students who have parents who are substance abusers.

Another required course for students in the teacher education program is The Professional Teacher and the American School (EDUC 420). This course is required for both elementary and secondary certifiers. The curriculum in EDUC 420 includes several areas related to school law--the legal rights and responsibilities of students and teachers, U. S. Constitutional provisions, specific legislation and selected landmark cases, all related to education.

In the EDUC 420 class, popular topics for a required contemporary issue in education paper include researching and analyzing legal obligations and professional responsibilities of teachers regarding the identification and reporting of substance abuse, child abuse, adherence to federal mandates, Constitutional protection of personal speech, dress, etc.

Topics related to school law are included in several other required courses in the program. For example, in the course, Introduction to Teaching (EDUC 200), students are first introduced to the issue of equity in education, federal legislation governing the education of exceptional children (gifted and handicapped), and the Bilingual Education Act, to name a few. Censorship is explored in both required courses, Children's Literature (EDUC 205 for elementary certifiers) and the Teaching of English (EDUC 318 for secondary certifiers). The topic of academic freedom as it relates to the teaching of controversial issues is discussed in all of the Teaching of series (English, Art, Social Studies, Foreign Languages, etc.) The legal issues of negligence and malfeasance are discussed in Supervised Teaching(EDUC 440).

JAMES MADISON UNIVERSITY  
MEMORANDUM

TO: Dr. Thomas Elliott  
Department of Education

FROM: Charles W. Blair *CWB*

SUBJECT: The Teacher Education Program at James Madison  
University, Senate Joint Resolution No. 80, and  
House Joint Resolution No. 200

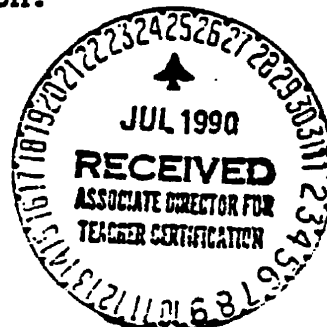
DATE: July 24, 1990

House Joint Resolution 200

All students at JMU who seek certification through approved programs complete EDUC 360, Foundations of Education. A variety of law related topics are considered in that course. Other courses in various majors give additional attention to various legal requirements and restraints upon educational activities.

Students in all programs engage in field-based activities related to their anticipated teaching assignment. A consistent requirement for students in these activities is to become familiar with school policies and regulations which relate to both teachers and the students.

Students who graduate before June 30, 1992 are required to complete Health 370, The School Health Program. This course contains information about the legal aspects of health education. However, this course is not included in the restructured program approved by the State Board of Education.



Dr. Thomas Elliott  
July 24, 1990  
Page 2

Senate Joint Resolution 80

Students who graduate before June 30, 1992 complete Health 370, The School Health Program. This course is devoted to comprehensive health programs in the public schools and related issues.

This course will not be required in the restructured program approved by the State Board of Education. While no specific health course is included in the restructured program, students will encounter health related topics while studying human growth and development and education courses included in various programs.

While participating in field activities in the public schools, students undoubtedly encounter health issues and the established procedures for dealing with them.

All students must complete a physical education course as part of liberal studies. These activities courses are designed to promote the concept of wellness.





# BRIDGEWATER COLLEGE

BRIDGEWATER, VIRGINIA 22812

Telephone (703) 828-2501

July 24, 1990

Mrs. Diane Jay  
Department of Education  
P.O. Box 6-Q  
Richmond, VA 23216-2060

Dear Diane,

At Bridgewater College, we specifically address the topics of school law and substance abuse in the Teacher Education Program as follows:

#### School Law:

Topics of school law such as tort liability are addressed in several methods classes as we discuss field trips, classroom safety, etc. It is also addressed in most all physical education classes for those majors. We also cover various topics in our Foundations of Education and in our ten weekly seminars which accompany student teaching. A copy of some materials used is attached.

#### Substance Abuse:

Substance abuse is covered in Health 200, which is required of all teaching candidates. In addition, many of those who pursue the B.S. degree, take Chemistry 165: Drugs and the Human Body as their extra science requirement. A copy of its description is attached.

The effects of drug abuse are also covered in our Human Growth and Development, Adolescent Growth and Development, and those classes dealing with the Exceptional Child. We also usually have a substance abuse counselor to make a presentation during our ten weekly seminars which accompany student teaching.

I hope this will be helpful to you as you complete your assigned task for the study group.



Mrs. Diane Jay

-2-

July 24, 1990

I regret that I will be out of the state for the next 2 weeks and will be unable to attend the scheduled August 9 meeting. Please keep me informed of our progress and recommendations.

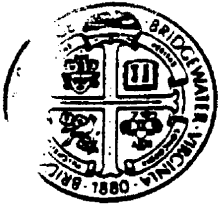
Sincerely,



Lanny W. Holsinger, Ed.D.  
Chairman, Education Department

LWH/jss

Enclosures



# BRIDGEWATER COLLEGE

BRIDGEWATER, VIRGINIA 22812

Telephone (703) 828-2501

## SCHOOL LAW WORKSHOP

### TRUE or FALSE

1. Laws requiring racial segregation in public schools are illegal.
2. Students are not considered eligible for civil rights protection regarding in-school activities involving speech and press.
3. Student suspensions for even a short time (e.g., two days for misbehavior) must include some means of telling the student what he or she is charged with and some attention to hearing the student's response to the charges, provided the case does not present an immediate threat to safety.
4. In cases involving corporal punishment, the Court requires school authorities to provide a statement of the charges and to listen to the student's defense against those charges before administering corporal punishment.
5. A teacher's right to free expression away from school is the same as any other citizen's right.
6. Teachers may be liable for gossip they spread about students in the teacher's lounge, even if they are not misrepresenting the truth.
7. If an injury occurs in a teacher's class while he is out of the classroom, he is always liable for the damages.
8. Teachers are generally not liable for unforeseen accidents that happen to their students during a class.
9. A teacher may be liable for negligence when a substitute teacher is in their place if the regular teacher fails to inform the substitute of physical, mental or disciplinary problems.
10. Courts use the same standard in assessing handicapped pupil injuries as they use for normal pupils; however, the Court does take into account the fact that handicapped pupils require special supervision and reasonable care.



# BRIDGEWATER COLLEGE

BRIDGEWATER, VIRGINIA 22812

Telephone (703) 828-2501

## ELEMENTS OF NEGLIGENCE

1. Standard of Care: Did the teacher provide appropriate actions under the circumstances in relation to the age of the student, the topic being covered, or the conditions of the instruction?
2. Unreasonable Risk: Was the student placed in an unacceptable position due to the teacher's actions that lead to an injury?
3. Proximate Cause: How did the actions of the teacher contribute to the injury?
4. Actual Injury: What was the extent or severity of the injury?

DEGREES OF NEGLIGENCE: slight, ordinary, or gross

## DEFENSES TO A CHARGE OF NEGLIGENCE

1. Contributory negligence
2. Comparative negligence
3. Assumption of risk
4. Act of God
5. Sovereign immunity

## DOCTRINE OF REASONABLE MAN AND FORESEEABILITY

Reasonable man has:

1. Normal intelligence
2. Comparable physical attributes
3. Normal perception and memory
4. Same special skills as others similarly trained.

## RULE OF SEVEN

- 0-7: Not negligent
- 8-14: Presumed not negligent
- 15-21: Possibly negligent



Augusta County Schools list the responsibilities of the instructor as:

1. Accept the primary responsibility for laboratory safety.
2. Never leave the students unsupervised. The riskier the activity the more thorough the supervision needs to be.
3. Set a good example for students by following stated safety practices with a positive attitude.
4. Thoroughly prepare the students in safety procedures appropriate to the laboratory situation and reinforce the learning by frequent repetition. Post the instructions. Ask both students and parents to sign an acknowledgement of the rules and keep the signatures on file.
5. Provide firm but reasonable discipline for science students. Do not tolerate horseplay or practices of practical jokes of any kind. Enforce strictly.
6. Store maintain and distribute materials and equipment as safety and economically as possible.
7. Avoid any experiment which would be unsafe to perform under the existing conditions.
8. Notify the administration when an accident occurs.
9. Plan activities carefully.
10. Give specific safety instructions for each experiment.
11. Report all hazardous conditions to the principal in writing.
12. Do not permit the students to do laboratory work when a trained science instructor is not present.
13. Try to find qualified science substitute teachers when needed.
14. Every teacher must devote at least one class period to teaching safety procedures early in the school year.<sup>4</sup>

## Description of Interterm Studies, 1990

### Department of Chemistry

#### 165 Drugs and the Human Body

Uses and abuses of legal and illegal drugs and their effects on the human body. An examination of "over-the-counter" drugs like aspirin, acetaminophen, and dramamine, as well as narcotics like morphine and illegal drugs like heroin and LSD. Field trips to a drug rehabilitation clinic and a pharmaceutical laboratory are included. Credit in this course may be applied to the general education requirement in science for the bachelor of science degree.

Prerequisite - English 120  
Professor - Crockett  
Estimated extra cost - \$25  
Capacity - 28

#### 445 Instrumental Analysis

Survey of classes of instruments which are used in analysis of chemical systems. Several specific methods (such as Electron Paramagnetic Resonance and Differential Scanning Calorimetry) which are not otherwise covered in the Chemistry curriculum are included. Field trips are made to laboratories at the University of Virginia, the National Institutes of Health, and Merck and Company to observe use of scientific instrumentation and data analysis facilities in both academic and industrial settings.

Prerequisite - Chemistry 202  
Professor - Brumbaugh  
Estimated extra cost - \$25  
Capacity - 10

### Department of Economics and Business

#### Economics

#### 307 Contemporary Economic Issues

Contemporary economic issues from conservative, liberal, and radical perspectives. Topics include both microeconomic and macroeconomic issues.

Prerequisite - Economics 210 or permission of instructor  
Professor - Huffman  
Estimated extra cost - None  
Capacity - 32